

Richard D. McCune, SB # 132124
rdm@mwtriallawyers.com
Jae (Eddie) K. Kim, SB # 236805
jkk@mwtriallawlawyers.com
McCUNE & WRIGHT, LLP
2068 Orange Tree Lane, Suite 216
Redlands, CA 92374
Telephone: (909) 557-1250
Facsimile: (909) 557-1275

Attorneys for Plaintiffs
VERONICA GUTIERREZ, TIM FOX, ERIN WALKER
and WILLIAM SMITH, on behalf of themselves and
all others similarly situated,

Sonya D. Winner, SB # 200348
David M. Jolley, SB # 191164
COVINGTON & BURLING LLP
One Front Street
San Francisco, CA 94111
Telephone: (415) 591-6000
Facsimile: (415) 591-6091
swinner@cov.com

Attorneys for Defendants
WELLS FARGO BANK, N.A. and

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VERONICA GUTIERREZ, ERIN
WALKER and WILLIAM SMITH, as
individuals, and on behalf of all others
similarly situated,

Plaintiffs,

v.

WELLS FARGO & COMPANY; WELLS
FARGO BANK, N.A.; and DOES 1 through
125,

Defendants.

Civil Case No.: C-07-5923 WHA (JCSx)

CLASS ACTION

**STIPULATION TO CONTINUE THE
TIME TO RESPOND TO
ADMINISTRATIVE MOTION FILED
BY PLAINTIFFS**

Hon. William H. Alsup

Complaint filed: November 21, 2007

//

1 On October 8, 2008, Plaintiffs filed an Administrative Motion for the Court to consider whether
 2 to relate the newly filed Spears-Hammond v. Wachovia Bank with the subject case.

3 The following paragraph is according to Plaintiff's counsel. There has not been an appearance
 4 made by Defendant Wachovia in the Spears-Hammond case. The complaint is out for service. A
 5 courtesy copy of the Administrative Motion was provided by Plaintiffs' counsel to attorney James
 6 McGuire of Morrison & Foerster, LLP on October 10, 2008, because Mr. McGuire had earlier
 7 responded on behalf of Wachovia to the notice of intent letter required by CLRA. On October 10, 2008,
 8 an associate of Mr. McGuire requested that Wachovia be provided until October 16, 2008 to respond to
 9 the Administrative Motion, which Plaintiff agreed to subject to Wells Fargo approval and the Court's
 10 approval.

11 Accordingly, the Parties do hereby stipulate, subject to Court approval, that the time for
 12 Wachovia to respond to the Administrative Motion filed by Plaintiffs is October 16, 2008.
 13

14
 15 DATED: Oct. 13, 2008

COVINGTON & BURLING LLP

16
 17 By: 

David M. Jolley
 Attorneys for Defendants

18
 19
 20 DATED: Oct. 13, 2008

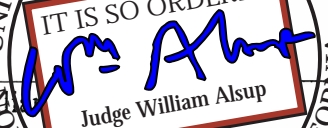
McCUNE & WRIGHT, LLP

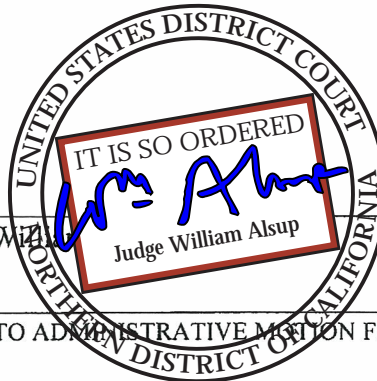
21
 22 By: 

Richard D. McCune
 Attorneys for Plaintiffs

23
 24
 25 **IT IS SO ORDERED.**

26
 27 DATED: October 14, 2008

28 Hon. W. 



CERTIFICATE OF SERVICE

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

I am employed in the County of San Bernardino, State of California. I am over the age of 18 years and not a party to the within action; my business address is 2068 Orange Tree Lane, Suite 216, Redlands, California, 92374.

On **October 13, 2008**, I electronically filed the documents titled:

**1. STIPULATION TO CONTINUE THE TIME TO RESPOND TO
ADMINISTRATIVE MOTION FILED BY PLAINTIFFS**

with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following interested parties:

Sonya D. Winner: SWinner@cov.com

David M. Jolley: djolley@cov.com

Attorneys for Defendant, Wells Fargo Bank, N.A.

Further, I am readily familiar with the firm's business practice for collection and processing of documents for service. Under that practice, I caused such document to be sent on the above-referenced date to the following non CM/ECF participants *VIA FACSIMILE*:

James R. McGuire, Esquire
MORRISON | FOERSTER
125 Market Street
San Francisco, CA 94105
415.268.7013 | 415.268.7522 (fax)

Counsel on behalf of Wachovia Corporation

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. Executed on the above-referenced date at Redlands, California.


Ann Marie Smith